

- Two 5-gallon flammable materials containers, one inside and one outside the Avionic's clean room, were labeled as "FOD – Foreign Object Debris."
- Flammable materials containers (14-gallon Hazardous Material Only and 5-gallon FOD) throughout the facility have incomplete hazardous waste labels.

6. Failure to make a hazardous waste determination, 22 CCR §66262.11 [40 CFR §262.11].

Requirements:

As stated in California regulation 22 CCR §66262.11, a person who generates a solid waste must determine if that waste is a hazardous waste by using a three part method: a) check to see if the waste is excluded in 22 CCR §66261.4, b) verify if the waste is a listed hazardous waste in Articles 4 or 4.1 of Chapter 11, and c) determine if the waste is characteristically hazardous (see Article 3 of Chapter 11) by appropriate analytical methods or by knowledge of process.

Findings:

- A waste determination needs to be made on the contents of a 5-gallon container in the Spin-form Area marked as "Alodine only."
- Waste determinations need to be made on the contents of a 1-gallon pan of cutting oil and a 5-gallon container of unknown material in the Machine Shop.

7. Failure to maintain land disposal restriction records, 22 CCR §66268.7(a)(8) [40 CFR §268.7(a)(8)].

Requirements:

As stated in California regulation 22 CCR §66268.7(a)(8), generators shall retain on-site a copy of all notices, certifications, waste analysis data, and other documentation produced pursuant to this section for at least three years from the date that the waste that is the subject of such documentation was last sent to on-site or off-site treatment, storage, or disposal.

Findings:

SpaceX did not have LDR notifications for hazardous waste shipped from their current location.

8. Failure to have a current contingency plan as required by 22 CCR § 66265.52 [40 CFR §265.52].

Requirements:

California regulation 22 CCR §66262.34(a)(4) indicates that an LQG may accumulate hazardous waste on-site for 90 days without a permit provided that the generator complies with the requirements in Article 4 of Chapter 15. As required in Article 4 (22 CCR §66265.52(c)), the plan shall describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to

coordinate emergency services. As required in Article 4 (22 CCR §66265.52(e)), the contingency plan shall include a list of all emergency equipment at the facility. This list shall be kept up to date. In addition, the plan shall include the location and a physical description of each item on the list, and a brief outline of its capabilities.

Findings:

Spacex's contingency plan did not include arrangements with emergency responders and did not include descriptions and locations of emergency equipment throughout the facility.

9. Failure to have adequate training plan as required by 22 CCR § 66265.16 [40 CFR §265.16]

Requirements:

California regulation 22 CCR §66262.34(a)(4) indicates that an LQG may accumulate hazardous waste on-site for 90 days without a permit provided that the generator complies with the requirements in 22 CCR §66265.16. As required in 22 CCR §66265.16, facility personnel shall successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the hazardous waste regulations. Facility personnel shall have initial training within six months from employment and annual review of the training. The owner or operator shall maintain at the facility a job title for each position at the facility related to hazardous waste management, a written job description for each position at the facility related to hazardous waste management, and a written description of the type and amount of both introductory and continuing training given to personnel filling a position. The facility must also maintain records to document training provided to their personnel.

Findings:

Spacex did not have a training plan for review at the time of inspection.

Potential Violations of non-RCRA, California-only Hazardous Waste Requirements

1. Failure to label hazardous waste containers properly, 22 CCR §66262.34(f).

Requirements:

As stated in California regulation 22 CCR §66262.34(f)(1), generators who accumulate hazardous waste on-site without a permit shall have the date accumulation begins clearly marked on the container and visible for inspection. As stated in California regulation 22 CCR §66262.34(f)(3), each container must also be clearly marked with the words "Hazardous Waste" and must be labeled with the composition and physical state of the waste, hazardous properties, and facility name and address.

Findings:

The hazardous waste containers in the following areas were not labeled with the above required information:

- The cubic-yard box of machine shop filters (CA 352) in the Hazardous Waste Storage Area.
- The 20-gallon flammable materials container of oily rags in the Deburring Area.
- The 20-gallon flammable materials container of oily rags in the Structures Testing Area.
- Three 14-gallon flammable materials container of oily rags in the Machine Shop.
- The 20-gallon and 14-gallon flammable materials containers used for oily rags throughout the facility.
- The 5-gallon container of glycol saturated waste (CA 223) in the PICA Lab.
- The 5-gallon container of used hydraulic oil in the Structures Testing Area.
- The 5-gallon container of spent way lube in the Machine Shop.

Facility Response:

On July 21, 2009, SpaceX emailed a photograph of the cubic-yard box of waste machine shop filters in the Hazardous Waste Storage Area demonstrating that it had a complete hazardous waste label.

2. Failure to close hazardous waste containers in satellite accumulation area, 22 CCR §66265.173(a).

Requirements:

As stated in California regulation 22 CCR §66262.34(e), generators may accumulate as much as 55-gallons of hazardous waste at or near any point of generation provided that they comply with 22 CCR §66265.173(a). As stated in California regulation 22 CCR §66265.173(a), a container holding hazardous waste shall always be closed during transfer and storage, except when it is necessary to add or remove waste.

Findings:

- The secondary containment of the 350-gallon tote of waste coolant (CA 223) in the Hazardous Waste Storage Area contained liquid.
- The 5-gallon container of used hydraulic oil in the Structures Testing Area did not have a lid.
- One of the 14-gallon flammable materials containers of oily rags in the Machine Shop had a broken lid.

Facility Response:

On July 21, 2009, SpaceX emailed a photograph of a used hydraulic oil container with a lid in the Structures Testing Area.

3. Failure to containerize universal waste as required by 22 CCR §66273.33(b)(1).

Requirements:

As stated in California regulation 22 CCR §66273.33(b)(1), universal waste lamps shall be contained in containers or packages that remain closed.

Findings:

In the Hazardous Waste Storage Area there was one open box of spent fluorescent tubes

4. Failure to label universal waste as required by 22 CCR §66273.34(c).

Requirements:

As stated in California regulation 22 CCR §66273.34(c), lamps, or a container or package in which the lamps are contained, shall be labeled or marked clearly with the following phrase: "Universal Waste-Lamp(s)."

Findings:

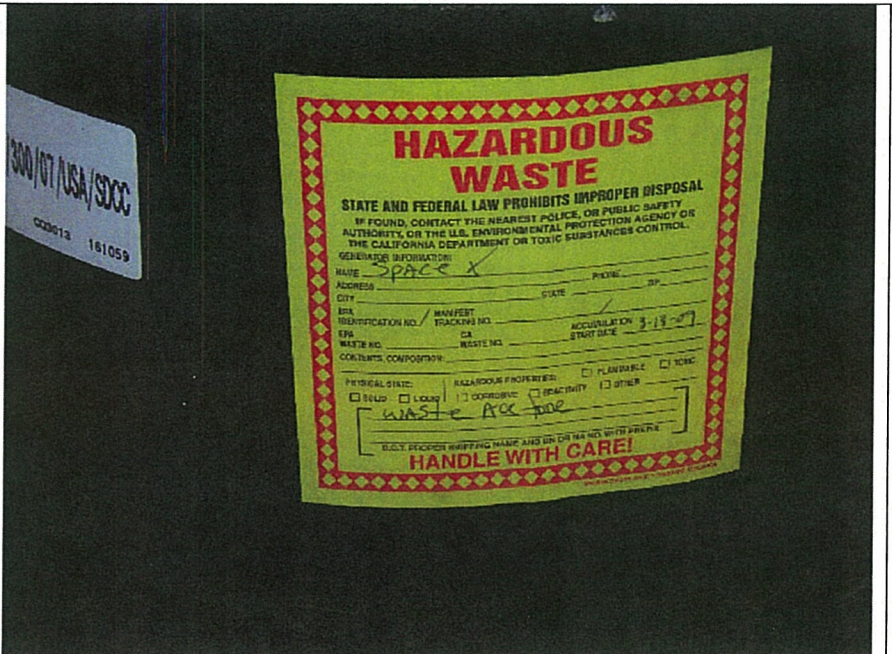
In the Hazardous Waste Storage Area there were two boxes of spent fluorescent tubes that were not labeled.

Photo Log

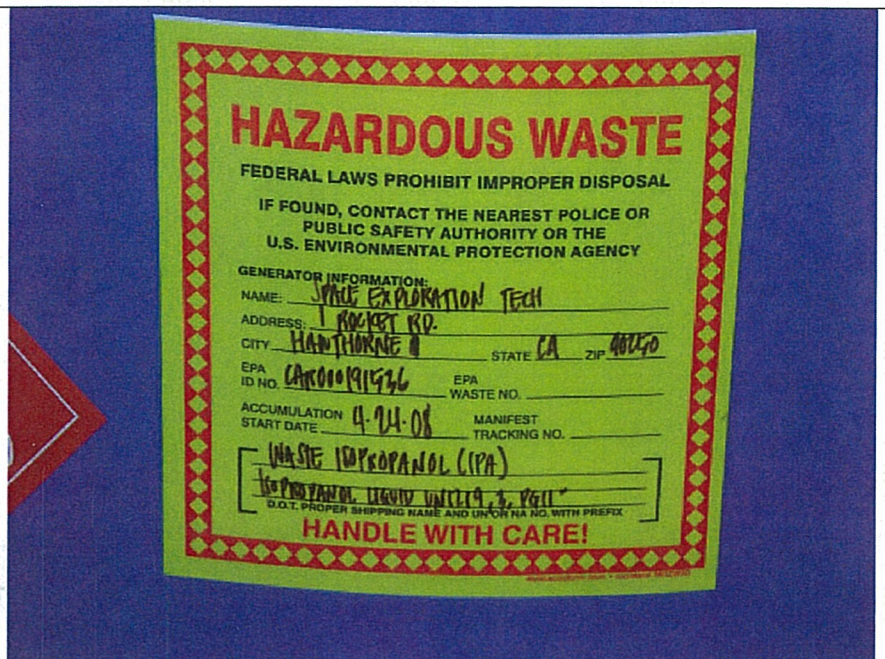
(Photo Log includes a portion of the inspection photos)

Area 1 – Hazardous Waste Storage Area

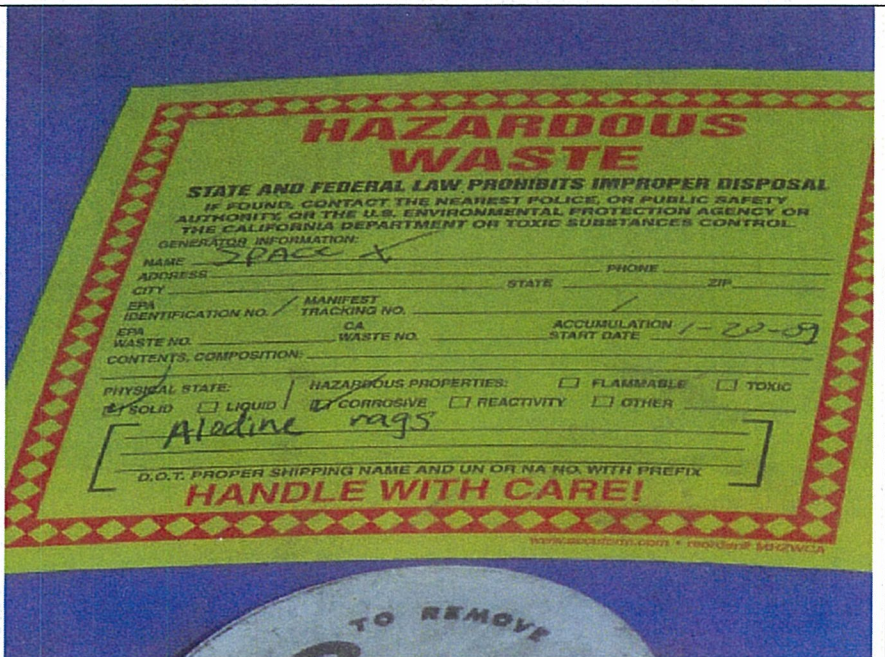
Area: Hazardous Waste Storage Area	
Location: Hazardous Waste Storage Area	
Photo: 1-A	Date: 7/13/09
Potential Violations: Storage of hazardous waste for longer than 90 days.	
Description: Label of waste acetone container (D001) with ASD of 3/13/09.	



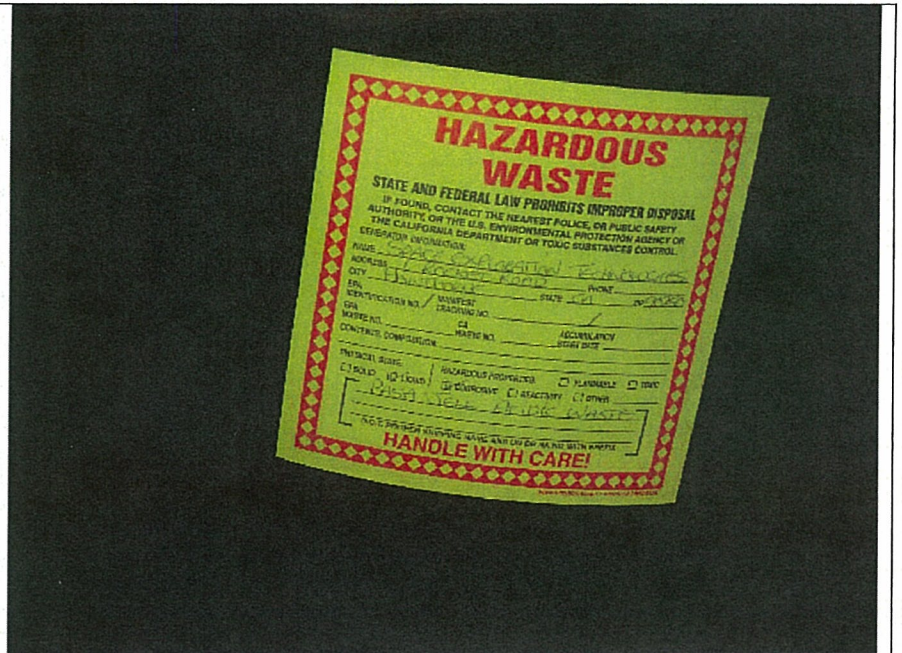
Area: Hazardous Waste Storage Area	
Location: Hazardous Waste Storage Area	
Photo: 1-B	Date: 7/13/09
Potential Violations: Storage of hazardous waste for longer than 90 days.	
Description: Label of waste isopropyl alcohol container (D001) with ASD of 4/24/08.	



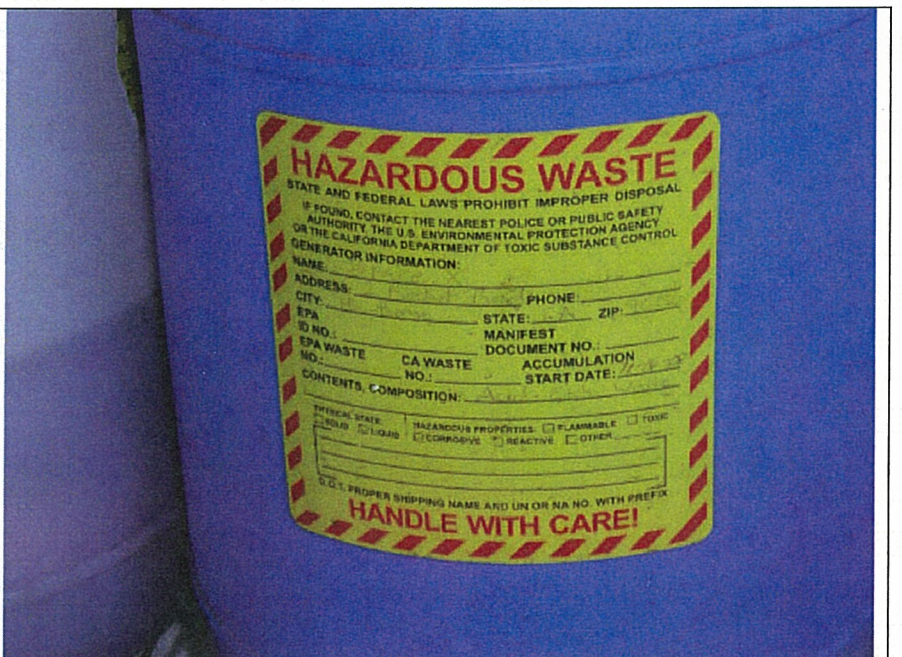
Area: Hazardous Waste Storage Area	
Location: Hazardous Waste Storage Area	
Photo: 1-C	Date: 7/13/09
Potential Violations: Storage of hazardous waste for longer than 90 days.	
Description: Label of waste alodine rags container (D007) with ASD of 1/20/09.	





Area: Hazardous Waste Storage Area	
Location: Hazardous Waste Storage Area	
Photo: 1-D	Date: 7/13/09
Potential Violations: Incomplete hazardous waste label	
Description: Label of Pasa Jell acidic waste container (D002, D007)	



Area: Hazardous Waste Storage Area	
Location: Hazardous Waste Storage Area	
Photo: 1-E	Date: 7/13/09
Potential Violations: Storage of hazardous waste for longer than 90 days.	
Description: Label of acidic etch waste container (D002) with ASD of 11/16/08.	

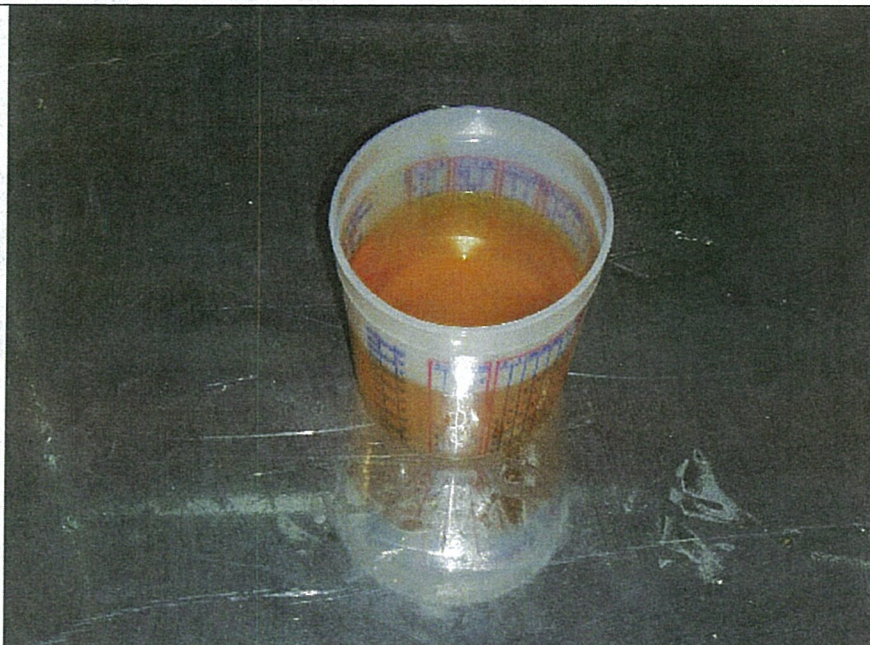


Area: Hazardous Waste Storage Area		
Location: Hazardous Waste Storage Area		
Photo: 1-F	Date: 7/13/09	
Potential Violations: Lack of aisle space		
Description:		


Area: Hazardous Waste Storage Area		
Location: Hazardous Waste Storage Area		
Photo: 1-G	Date: 7/13/09	
Potential Violations: Lack of aisle space		
Description:		

Area 2 – None

Area 3 – PICA Lab

Area: PICA Lab Location: Inside lab		
Photo: 3-A	Date: 7/13/09	
Potential Violations: Open and unlabeled container of hazardous waste.		
Description: Container of waste resin (D001)		

Area 4 – Avionics

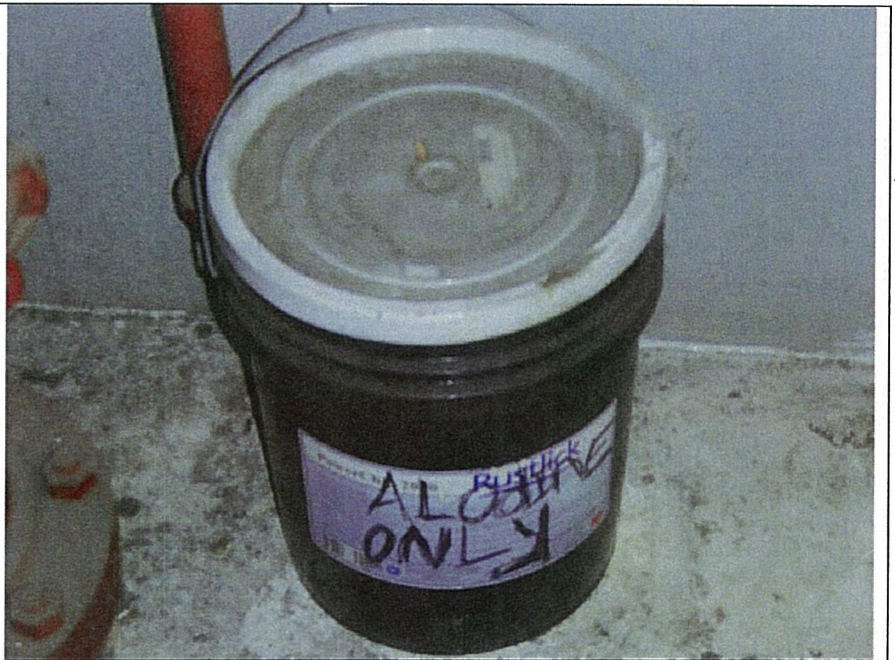
Area: Avionics Location: Avionics area		
Photo: 4-A	Date: 7/13/09	
Potential Violations: Improperly labeled containers of hazardous waste		
Description:		

Area 5 – None

Area 6 – None

Area 7 – Spin-form Area

Area: Spin-form Area Location: Spin-form Area	
Photo: 7-A	Date: 7/13/09
Potential Violations: Need waste determination.	
Description:	



Area 8 – Machine Shop

Area: Machine Shop Location: Lathe and Mill Area	
Photo: 8-A	Date: 7/13/09
Potential Violations: Need waste determination.	
Description:	



